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MEDTRONIC, INC. and MEDTRONIC  
14 VASCULAR, INC.

15 UNITED STATES DISTRICT COURT  
16 NORTHERN DISTRICT OF CALIFORNIA  
17 OAKLAND DIVISION  
18

19 ABBOTT LABORATORIES, INC. and  
20 ABBOTT CARDIOVASCULAR  
SYSTEMS INC.,

21 Plaintiffs,

22 v.

23 MEDTRONIC, INC. and MEDTRONIC  
24 VASCULAR, INC.,

25 Defendants.

Case No. C-08-04962 DLJ

**STIPULATION TO EXTEND TIME FOR  
DEFENDANTS MEDTRONIC, INC. AND  
MEDTRONIC VASCULAR, INC. TO FILE  
ANSWER OR OTHERWISE RESPOND TO  
PLAINTIFFS' FIRST AMENDED  
COMPLAINT**

IT IS SO ORDERED

  
U.S. District Judge

November 26, 2008

DATE

Pursuant to Civil L.R. 6-1(a), Plaintiffs Abbott Laboratories, Inc. and Abbott Cardiovascular Systems, Inc. (collectively "Abbott") and Defendants Medtronic, Inc. and Medtronic Vascular, Inc. (collectively "Medtronic"), appearing through their respective counsel, hereby stipulate that Medtronic shall have an additional 30 days to answer or otherwise respond to Abbott's first amended complaint. Accordingly, Medtronic shall answer or otherwise respond to Abbott's first amended complaint on or before January 7, 2009.

For Defendants MEDTRONIC, INC. and MEDTRONIC VASCULAR, INC.

Dated: November 25, 2008

By: /s/ James J. Elacqua

James J. Elacqua, SB No. 187897  
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For Plaintiffs ABBOTT LABORATORIES, INC. and ABBOTT CARDIOVASCULAR SYSTEMS, INC.

Dated: November 25, 2008

By: /s/ David D. Headrick

David D. Headrick (*pro hac vice*)  
Edward A. Mas II (*pro hac vice*)  
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**FILER'S ATTESTATION**

I, James J. Elacqua, attest pursuant to General Order No. 45 that concurrence in the filing of this document has been obtained from the other signatory.

Dated: November 25, 2008

/s/ James J. Elacqua

James J. Elacqua  
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**PROOF OF SERVICE**

I, Deborah Brown, declare:

I am a citizen of the United States and employed in Santa Clara County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 2440 W. El Camino Real, Suite 700, Mountain View, California 94040-1499. On November 25, 2008, I served a copy of the within document(s):

**STIPULATION TO EXTEND TIME FOR DEFENDANTS  
MEDTRONIC, INC. AND MEDTRONIC VASCULAR, INC. TO FILE  
ANSWER OR OTHERWISE RESPOND TO PLAINTIFFS' FIRST  
AMENDED COMPLAINT**

- ☐ by transmitting via facsimile the document(s) listed above to the fax number(s) set forth below on this date before 5:00 p.m.
- ☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Mountain View, California addressed as set forth below.
- ☒ by transmitting via electronic mail the document(s) listed above to the electronic email addresses set forth on this date.
- ☐ by placing the document(s) listed above in a sealed Federal Express envelope and affixing a pre-paid air bill, and causing the envelope to be delivered to a Federal Express agent for delivery.
- ☐ by causing to be personally delivering the document(s) listed above to the person(s) at the address(es) set forth below.

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10 I am readily familiar with the firm's practice of collection and processing correspondence  
11 for mailing. Under that practice it would be deposited with the U.S. Postal Service on that same  
12 day with postage thereon fully prepaid in the ordinary course of business. I am aware that on  
13 motion of the party served, service is presumed invalid if postal cancellation date or postage  
14 meter date is more than one day after date of deposit for mailing in affidavit.

15 I declare that I am employed in the office of a member of the bar of this court at whose  
16 direction the service was made.

17 Executed on November 25, 2008, at Mountain View, California.

18 \_\_\_\_\_  
19 /s/ Deborah Brown  
20 Legal Secretary  
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